1. **ROLL CALL**

   **PRESENT**
   Council President Finkbiner  
   Council Vice-President Bones  
   Council Member Laney  
   Council Member Niemiec  
   Council Member Phillips  
   Council Member Riccetti  
   Zeyn B. Uzman, Mayor  

   **ABSENT:**

2. **APPROVAL OF AGENDA**

   A motion was made by Council Member Laney, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve the agenda for the November 15, 2022 meeting as presented.

3. **ANNOUNCEMENTS**

   Council President Finkbiner asked in accordance with Resolution No. 787 if any member of the audience was recording the meeting. A total of four (4) individuals recorded the meeting.

   Council President Finkbiner requested as a courtesy, if you are participating via ZOOM, please turn on your camera while speaking.

   Council President Finkbiner announced that Borough Council met in executive session prior to this evening’s meeting to discuss a personnel matter.

4. **MINUTES & REPORTS**

   a. **APPROVAL OF MINUTES**

      A motion was made by Council Member Laney, seconded by Council Member Phillips, and carried by a vote of 6-0, Council Member Riccetti abstained, to approve the minutes from the Tuesday, November 1, 2022 regular meeting of Borough Council as presented.

   b. **APPROVAL OF REPORTS**

      A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to approve the Treasurer’s Report, the Sub-Committee Reports for Finance and Administration, Public Safety, Public Works, the Chief of Police Report, the Code Enforcement Department Reports, the Superintendent of Public Works Report, the Assistant
Manager’s Report, and the Manager’s Report for the month of October 2022, as submitted.

c. **BOROUGH COUNCIL SUB-COMMITTEE REPORTS**

Council Member Laney stated that the Finance & Administration Committee met on Wednesday, October 26, 2022 to discuss the following:
- Invoices for Electric Bike & LENNI Electric for Light Pole
- PLGIT Investment Opportunity
- 2023 Line Item Budget Review

Council Member Phillips stated that the Public Safety Committee has not met since the last Borough Council meeting.

Council Vice President Bones stated that the Public Works Committee met on Thursday, November 3, 2022 to discuss the following:
- Post Office Stormwater Project
- Quann Park’s Status
- First Avenue Bike Trail Park Proposal Next Steps
- Randolph Woods Grant Submission Status Update
- Maintenance of the Trails in the Battlefield
- Trash Survey
- 5 Year Capital Budget

5. **SPECIAL BUSINESS**

a. **CHRISTMAS ON KING – SPONSORED BY THE MBPA**

President Finkbiner explained that the MBPA is hosting the “Christmas on King” event on Saturday, November 26, 2022 and is requesting approval to have an alcoholic beverage area in the Municipal lot adjacent to Wolfe’s Brass. The provider will be the Philly Yard Bar.

Mr. David Campli presented on the behalf of the MBPA.

Mr. John Buckley inquired who is paying for this event. Mr. David Campli clarified that the MBPA pays for the event.

A motion was made by Council Member Niemiec, seconded by Council Member Phillips, and carried by a vote of 7-0, to authorize the MBPA and Philly Yard Bar to utilize the municipal lot for a full service bar, adjacent to Wolfe’s Brass, for the Christmas on King event scheduled for Saturday, November 26, 2022, pursuant to the Borough Solicitor’s conditions and approval by the Pennsylvania Liquor Control Board.

b. **2023 BUDGET FOR THE BOROUGH OF MALVERN – AUTHORIZATION TO ADVERTISE**

Borough Manager Loomis reviewed the revisions to the proposed 2023 budget to date for Malvern Borough. The proposed budget does not propose a tax increase. Borough Council reviewed the requests from Civic Associations and the Road Program. A public hearing will be held at the December 6, 2022 meeting and the final budget will be considered at the December 20, 2022
Borough Council meeting.

The Upper Main Line Memorial Association, Malvern Park & Civic Association, Surrey Services for Seniors, Chester Valley Little League, MBPA, the Paoli Battlefield Preservation Fund, and the Paoli Memorial Association gave presentations regarding their contribution requests from Malvern Borough.

The Borough Council directed Borough Manager Loomis to work with the Borough Engineer and Public Works Superintendent to prioritize the road program in order of importance of paving projects and to review costs of lower priority roads and their cost in forthcoming years.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to authorize the advertisement of the proposed 2023 budget, as amended, for Malvern Borough for public review, specifically allocating $5,000 for the Malvern Park & Civic Association.

6. UNFINISHED BUSINESS

a. SIDEWALK PRESENTATION

Planning Commission Member Scott Oswald presented a sidewalk presentation that was recently discussed by the Planning Commission at their October 20, 2022 meeting to address the recommendations in the recently approved revised Comprehensive Plan by Borough Council.

Borough Council discussed involving the EAC and the Public Safety Sub-Committee in this process.

Dr. David Knies, PhD commented on the model and scheme of the plan.

Mr. John Buckley commented on a walkable community.

Mr. Danny Fruchter commented on the Comprehensive Plan and sidewalk process.

A motion was made by Council Vice President Bones, seconded by Council Member Phillips, and carried by a vote of 7-0, to refer the sidewalk plan as presented this evening to the Malvern Planning Commission and report back to Borough Council.

b. FIRST AVENUE BIKE TRAIL PARK

Borough Manager Loomis gave an update on the First Avenue Bike Trail Park regarding the grant obtained for active recreational activities to take place at the property. Chester County is in support of the property to be used for active recreational activities including a scaled back scope for a bike trail park.

Mr. John Buckley commented on the name change of the Park that occurred.

c. ZONING HEARING BOARD

There are no new Zoning Hearing Board applications before the Zoning Hearing Board.
7. **NEW BUSINESS**
   
a. **PAOLI BATTLEFIELD FLAG POLE LIGHTING CONCERNS**
   
Mr. John Meisel presented to Borough Council concerns regarding the lighting located at the Paoli Memorial flagpole. Numerous residents are concerned with how the current lighting is affecting the wildlife and natural habitat.

Ms. Sid Baglini is in agreement and provided lighting recommendations from an expert to shield the lighting, yet light the flagpole appropriately.

Ms. Jamie Grossman is in agreement and supports the lighting to be modified immediately.

Ms. Liz Deal is in agreement with the lighting being effectively addressed and lumens lessoned.

Mr. John Meisel asked the Paoli Memorial Association to cease the lighting effective immediately.

Mr. Frank Ortner explained that ceasing the lighting of the American Flag is not permitted.

Mr. John Buckley is in support of the flagpole being lit and concurred with Mr. Ortner.

Borough Council is in agreement that the lighting needs to be altered and effectively addressed.

The Paoli Memorial Association agreed to work with Borough Council and the concerned residents to address the issues discussed this evening.

8. **PUBLIC FORUM**

Ms. Sidney Baglini commented on the Borough crosswalks.

Mr. Danny Fruchter commented on the Mayor and Malvern Borough Police Department’s performance from a prepared statement read by him.

Mayor Uzman responded and read a statement to the public addressing his position as Mayor and the Malvern Borough Department.

9. **ADJOURNMENT**

All business having been discussed, a motion was made by Council Member Niemiec, seconded by Council Member Phillips, and carried by a vote of 7-0, to adjourn the meeting at 10:34PM

Respectfully submitted,
Tiffany M. Loomis
Borough Manager/Secretary